

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

SUZETTE GRILLOT,)	
)	
Plaintiff,)	
)	
v.)	Case No: CIV-19-241-J
)	
STATE OF OKLAHOMA, ex rel.,)	
UNIVERSITY OF OKLAHOMA)	
BOARD OF REGENTS; et al.,)	
)	
Defendants.)	

DEFENDANT UNIVERSITY OF OKLAHOMA’S MOTION TO FILE UNDER SEAL

Defendant University of Oklahoma moves the Court for leave to file under seal the University of Oklahoma’s Brief in Support of its Rule 37 Motion to Amend the Scheduling Order, along with its exhibits.

In support of this motion, the University shows the Court as follows:

1. There is an existing Protective Order in this case (Dkt. Item. No. 35), and it allows documents to be marked Confidential. Moreover, under the terms of that Protective Order, such documents marked confidential “shall be used only for the purposes of this litigation and not for any other purpose whatsoever.” (Protective Order, pg. 2, ¶3, Exhibit 1 hereto).
2. Pursuant to that Protective Order, the University has produced documents, and in particular one document was marked confidential, and in apparent violation of the Protective Order, it has been used for purposes outside this litigation.

3. The University of Oklahoma is prepared to publicly file a simple one paragraph Motion setting forth the existence of the violation of the Protective Order and requesting relief in the form of an Amended Protective Order.

4. However, the University's Brief in Support of the Motion will need to attach and discuss the confidential document, and furthermore, will need to attach an affidavit discussing how the confidential document was used for purposes outside the litigation. Accordingly, the University seeks to file the Motion itself publicly, but file the Brief in Support, together with its exhibits, under seal.

3. The existing Protective Order recites at Paragraph 5 that "The parties will comply with the procedures set forth in the Electronic Filing Policy and Procedures Manual ("ECF Policies & Procedures Manual") for filing under seal Confidential Material subject to this Protective Order." (Protective Order, Exhibit 1, ¶ 5, pg. 3). The University is prepared to follow those procedures.

Respectfully submitted,

s/Anton J. Rupert

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2020, I electronically transmitted the attached document to the Clerk of Court using the ECF system for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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s/ Anton J. Rupert _____